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EV 367 776 298 US

Serial No.

10/682,131

Applicant(s)

Jerry I. Jacobson et al.

Filing Date

October 9, 2003

Title:

CARDIOELECTROMAGNETIC TREATMENT

Examiner

Unassigned

Group Art Unit

3762

Type of Document(s)

Express Mail Certificate;

Transmittal Form (PTO/SB/21);

Information Disclosure Statement (in dup.);

PTO/SB/08a

56 References (5 foreign patent documents and 51

articles); and

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PTO/SB/21 (08-03) Approved for use through 07/31/2006. OMB 0651-0031

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Application Number	10/682,131			
Filing Date	October 9, 2003			
First Named Inventor	Jerry I. Jacobson			
Art Unit	3762			
Examiner Name	Not yet assigned			
Attorney Docket Number	35733/293661			

		ENCLOSURES	check all that apply)	
Fee Transmittal F	om	☐ Drawing(s)		After Allowance Communication to Group
☐ Fee Attached	t	Licensing-relate	d Papers	Appeal Communication to Board of Appeals and Interferences
Amendment / Rep	oly	Petition		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
After Final		Petition to Converge Provisional Apple		Proprietary Information
Affidavits/dec	laration(s)	Power of Attorned Change of Corre	ey, Revocation espondence Address	Status Letter
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Information Disclo	osure Statement			56 References;
<u> </u>				Return postcard
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Response to Miss Incomplete Applic				
Response to Missing Parts under 37 CFR 1.52 or 1.53				
	SIGNA	TURE OF APPLICA	ANT, ATTORNEY, OI	RAGENT
Firm or Individual name  Cynthia B. Rothschild		1, Reg. No. 47,040, Kilpat	rick Stockton LLP	
Signature	Gth	B (L/4		
Date	August 27, 2004			
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#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Jerry I. Jacobson

Serial No. : 10/682,131

Filing Date : October 9, 2003

Title : Cardioelectromagnetic Treatment

Examiner : Not yet assigned

Group Art Unit : 3762

Mail Stop Amendment Assistant Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

### INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98, Applicant submits herewith on Form PTO/SB/08A a listing of eighty-two (82) documents known to the Applicant and/or his attorney. Applicant respectfully requests consideration of the cited documents and making the same of record in the prosecution of the above-identified application. In so doing, Applicant does not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the present application, or to establish that such references are not prior art. Pursuant to the Notice in the Official Gazette of August 5, 2003, wherein the Patent Office waived the requirements of 37 C.F.R. § 1.98(a)(2)(i), Applicant has not enclosed copies of the U.S. patent references. Copies of the five (5) foreign patent documents and fifty-one (51) non-patent literature documents are enclosed, numbered and labeled for identification purposes.

This statement should not be construed as a representation that more material information does not exist or that a search of the relevant art has been made. It is respectfully requested that the references listed on the attached form PTO/SB/08a be expressly considered by the Examiner, made of record in the application, and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being submitted prior to the mailing of a first action on the merits in the present application. Accordingly, it is believed that no fees are due for consideration of this Information Disclosure Statement. However, should any fees be due, the Assistant Commissioner is authorized to charge such fees to Deposit Account 16-1435. A duplicate of this sheet is attached for that purpose.

Respectfully submitted,

Cypathia B. Rothschild, Reg. No. 47,040

Date: August 27, 2004

KILPATRICK STOCKTON LLP 1001 West Fourth Street Winston-Salem, North Carolina 27101-2400 (336) 747-7541 Phone (336) 607-7500 Facsimile Attorney Docket No.: 35733/293661

35733/293661

PTO/SB/08a (08-03)

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Sheet

# INFORMATION DISCLOSURE APPLICANT

(Use as many sheets as necessary)

of

Complete if Known				
Application Number	10/682,131			
Filing Date	October 9, 2003			
First Named Inventor JACOBSON, Jerry I. et al.				
Art Unit	3762			
Examiner Name	Not Yet Assigned			
Attorney Docket Number	35733-293661			

			U.S. PATENT	DOCUMENTS	
Examiner	Cite	Document Number	Publication Date	Name of Patentee or Applicant of	Pages, Columns, Lines, Where Relevan
Initials *	No.	Number - Kind Code <sup>2</sup> (if known)	MM-DD-YYYY	Cited Document	Pages, Columns, Lines, Where Relevan Passages or Relevant Figures Appear
	1	US-781,448	01-31-1905	McIntyre	
	2	US- 2,099,511	11-16-1937	Caesar	
	3	US- 2,103,440	12-28-1937	Weissenberg	
	4	US- 3,738,369	06-12-1973	Adams et al.	
	5	US- 3,890,953	06-24-1975	Kraus et al.	
	6	US- 3,967,215	06-29-1976	Bellak	
	7	US- 4,047,068	09-06-1977	Ress et al.	
	8	US- 4,323,056	04-06-1982	Borrelli et al.	
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	25	US- 6,579,375 B2	05-08-2003	Beckett et al.	
	26	US- 6,733,434 B2	02-06-2003	Jacobson	

	FOREIGN PATENT DOCUMENTS							
Examiner	0'4-	Foreign Patent Document		Name of Patentee or	Pages, Columns, Lines,			
Initials*	Cite No. <sup>1</sup>	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> ( <i>if known</i> )	Publication Date MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>		
	27	WO 9531939	11-30-1995	Jacobson				
	28	WO 0013749	03-16-2000	Jacobson				
	29	WO 0115775	03-08-2001	Jacobson				
	30	EP 37 1 504	06-06-1990	Jacobson				
	31	AU-B-45680189	06-07-1990	Jacobson				

Examiner Signature	Date Considered	

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Substitute	Substitute for form 1449B/PTO				Complete if Known
11150	DALATIC	DIO	OL COURT	Application Number	10/682,131
INFORMATION DISCLOSURE		Filing Date	October 9, 2003		
STA	STATEMENT BY APPLICANT		First Named Inventor	JACOBSON, Jerry I. et al.	
				Art Unit	3762
	(Use as man)	/ sheets as	necessary)	Examiner Name	Not Yet Assigned
Sheet	2	of	6	Attorney Docket Number	35733-293661

	·	NON PATENT LITERATURE DOCUMENTS	,
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	32	ADEY, W. R., "Physiological Signalling Across Cell Membranes and Cooperative Influences of Extremely Low Frequency Electromagnetic Fields", Springer – Verlag, Biological Coherence and Response to External Stimuli, Herbert Frohlich (Ed.), 1998, pgs. 148-170	
	33	ADEY, W. R., *Tissue Interactions With Nonionizing Electromagnetic Fields*, Physiological Reviews, Vol. 61, No. 2, April 1981, pgs. 435-514	
	34	ANNINOS, P. A. et al., "The Biological Effects of Magnetic Stimulation in Epileptic Patients," Panminerva Medica, Vol. 41, No. 3, 1999, pgs. 207-215	
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	36	BEALL, P. T. et al., "Distinction of Normal, Preneoplastic, and Neoplastic Mouse Mammary Primary Cell Cultures by Water Nuclear Magnetic Resonance Relaxation Times," JNCI., Vol. 64, No. 2, February 1980, pgs. 335-338	
	37	BISTOLFI, F., "Biostructures and Radiation Order Disorder," Edizioni Minerva Medica, Corso Bramante 83/85 – Torino, 1991, pgs. 61-92 and 261	
	38	CHENG, David K., Field and Wave Electromagnetics, Addison Wesley Publishing Company, 1983, pgs. 225-251, 569-576	
	39	CLEGG, J. S., "Intracellular Water and the Cytomatrix: Some Methods of Study and Current Views," The Journal of Cell Biology, Vol. 99, No. 1, 1984, pgs. 167s-171s	
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Examiner	Date	
	Considered	
Signature	 Oblisiacioa	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance

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	NEO	ORA A TION	DIG	CLOSUBE	Application Number	10/682,131
	INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Filing Date	October 9, 2003		
2			First Named Inventor	JACOBSON, Jerry I. et al.		
					Art Unit	3762
		(Use as many she	eets as	necessary)	Examiner Name	Not Yet Assigned
S	heet	3	of	6	Attorney Docket Number	35733-293661

	,	NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	44	EGAN, T. F. et al., "Molecular Basis of Contrast in MRI, " Cell Function and Disease, Plenum Press, New York and London, Cañdeo et al. (Eds.), 1988, pgs. 405-413	
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	51	JACOBSON, J. I., "Exploring the Potential of Magneto-Recrystallization of Genes and Associated Structures With Respect to Nerve Regeneration and Cancer," Int. Journal of Neuroscience, Vol. 64, No. 1-4, 1992, pgs. 153-165	
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Examiner	Date	
Signature	Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance

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INEC		DIS	CLOSURE	Application Number	10/682,131	
				Filing Date	October 9, 2003	
STATEMENT BY APPLICANT				First Named Inventor	JACOBSON, Jerry I. et al.	
				Art Unit	3762	
(Use as many sheets as necessary)			necessary)	Examiner Name	Not Yet Assigned	
Sheet	4	of	6	Attorney Docket Number	35733-293661	

		NON PATENT LITERATURE DOCUMENTS			
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_	56	JACOBSON, J. I., "A Look at the Possible Mechanism and Potential of Magneto Therapy," Journal of Theoretical Biology, Vol. 149, No. 1, March 7, 1991, pgs. 97-119			
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	67	REUSS, S., "Different Types of Magenetically Sensitive Cells in the Rat Pineal Gland," Neuroscience Letters, Vol. 40, 1983, pgs. 23-26			

Examiner	Date	
Signature	 Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance

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			CLOSURE	Filing Date	October 9, 2003	
STAT	LEMENT B	YA	PPLICANT	First Named Inventor	JACOBSON, Jerry I. et al.	
				Art Unit	3762	
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	68	RORSCHACH, H. E. et al., "Diffusion of Water in Biological Tissues," Scanning Microscopy Supplement 5, 1991, pgs. S1-S9		
	69	SANDYK, R., "Alzheimer's Disease: Improvement of Visual Memory and Visuoconstructive Performance by Treatment with Picotesla Range Magnetic Fields," Intern. J. Neuroscience, Vol. 76, 1994, pgs. 185-225		
	70	SANDYK, R., "Clinical Case Report Magnetic Fields in the Treatment of Parkinson's Disease," Intern. J. Neuroscience, Vol. 63, 1992, pgs. 141-150		
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INIEO	DRAATIC	NI DIG	CLOSURE	Application Number	10/682,131
				Filing Date	October 9, 2003
SIA	IFMENI	BAY	PPLICANT	First Named Inventor	JACOBSON, Jerry I. et al.
				Art Unit	3762
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	80	YAMANASHI, W. et al. "The Effect of Low-Level Electromagneti Fields on a Simple Model of Osmosis, in Vitro, abstract presented at annual meeting of the American Institute of Stress, in Hawaii, 2000					
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